

1463. All fines and forfeitures imposed and collected for crimes shall be distributed in accordance with Section 1463.001.

The following definitions shall apply to terms used in this chapter:

(a) Arrest means any law enforcement action, including issuance of a notice to appear or notice of violation, which results in a criminal charge.

(b) City includes any city, city and county, district, including any enterprise special district, community service district, or community service area engaged in police protection activities as reported to the Controller for inclusion in the 1989 90 edition of the Financial Transactions Report Concerning Special Districts under the heading of Police Protection and Public Safety, authority, or other local agency (other than a county) which employs persons authorized to make arrests or to issue notices to appear or notices of violation which may be filed in court.

(c) City arrest means an arrest by an employee of a city, or by a California Highway Patrol officer within the limits of a city.

(d) County means the county in which the arrest took place.

(e) County arrest means an arrest by a California Highway Patrol officer outside the limits of a city, or any arrest by a county officer or by any other state officer.

(f) Court means the superior court or a juvenile forum established under Section 257 of the Welfare and Institutions Code, in which the case arising from the arrest is filed.

(g) Division of moneys means an allocation of base fine proceeds between agencies as required by statute, including, but not limited to, Sections 1463.003, 1463.9, 1463.23, and 1463.26 of this code, Sections 13001, 13002, and 13003 of the Fish and Game Code, and Section 11502 of the Health and Safety Code.

(h) Offense means any infraction, misdemeanor, or felony, and any act by a juvenile leading to an order to pay a financial sanction by reason of the act being defined as an infraction, misdemeanor, or felony, whether defined in this or any other code, except any parking offense as defined in subdivision (i).

(i) Parking offense means any offense charged pursuant to Article 3 (commencing with Section 40200) of Chapter 1 of Division 17 of the Vehicle

Code, including registration and equipment offenses included on a notice of parking violation.

(j) Penalty allocation means the deposit of a specified part of moneys to offset designated processing costs, as provided by Section 1463.16 of this code and by Section 68090.8 of the Government Code.

(k) Total parking penalty means the total sum to be collected for a parking offense, whether as fine, forfeiture of bail, or payment of penalty to the Department of Motor Vehicles (DMV). It may include the following components:

(1) The base parking penalty as established pursuant to Section 40203.5 of the Vehicle Code.

(2) The DMV fees added upon the placement of a hold pursuant to Section 40220 of the Vehicle Code.

(3) The surcharges required by Section 76000 of the Government Code.

(4) The notice penalty added to the base parking penalty when a notice of delinquent parking violations is given.

(l) Total fine or forfeiture means the total sum to be collected upon a conviction, or the total amount of bail forfeited or deposited as cash bail subject to forfeiture. It may include, but is not limited to, the following components as specified for the particular offense:

(1) The base fine upon which the state penalty and additional county penalty is calculated.

(2) The county penalty required by Section 76000 of the Government Code.

(3) The DNA penalty required by Sections 76104.6 and 76104.7 of the Government Code.

(4) The emergency medical services penalty authorized by Section 76000.5 of the Government Code.

(5) The service charge permitted by Section 853.7 of the Penal Code and Section 40508.5 of the Vehicle Code.

(6) The special penalty dedicated for blood alcohol analysis, alcohol program services, traumatic brain injury research, and similar purposes.

(7) The state penalty required by Section 1464.

(Amended by Stats. 2007, Ch. 302, Sec. 16. Effective January 1, 2008.)